

Appl. No. 10/669,882  
Amdt. dated June 19, 2009  
Reply to Office Action of February 19, 2009

PATENT

**Amendments to the Drawings:**

The attached sheet of drawings includes changes to Figs. 1-27. This sheet, which includes Figs. 1-27 replaces the original sheet including Fig. 1-27.

Attachment: Replacement Sheets

### **REMARKS/ARGUMENTS**

This Amendment is in response to the Office Action mailed February 19, 2009. Claims 2-33 were pending in the present application and rejected. This Amendment amends claims 2, 3, 4, 5, 10, 16, 18, and 19, adds claims 34-39, and cancels claims 7 and 23, without prejudice, leaving pending in the application claims 2-6, 8-12, 15-22, 24-28, and 31-33. Claims 34-39 are new and are supported by the specification as filed. Applicant submits that no new matter has been introduced by virtue of these amendments. Reconsideration of the rejected claims is respectfully requested.

#### **I. AMENDMENTS TO THE SPECIFICATION**

Paragraph [0085] has been amended to replace the reference number 526 with 526a to match an amendment to the drawings that distinguishes between two separate elements labeled with the same number. This amendment does not add new matter to the specification as filed.

#### **II. AMENDMENTS TO THE DRAWINGS**

Replacement sheets for Figs. 1-27 are filed herewith. These sheets merely replace information drawings with formal drawings and increase legibility. Figure 5 has additionally been amended to replace one instance of the number 526 with 526a in order to distinguish between two separate elements. These replacement drawings and the aforementioned amendment do not introduce new matter as they merely replace informal drawings with substantially identical formal drawings and correct an error in the numbering.

#### **III. REJECTIONS UNDER 35 U.S.C. § 101**

Claims 2-12 and 15-17 stand rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. According to the Office Action at page 3, Applicant's method steps "are not required to be tied to another statutory class and can be performed without the use of a particular apparatus." While not believed necessary, in order to expedite

prosecution, Applicant has amended claim 2 to recite steps performed by a particular apparatus, namely, a web-based computer system. In particular, claim 2, as amended, recites:

2. A method for facilitating communication in an insurance-underwriting process, the method comprising:

providing a plurality of participants access to a web-based computer system for storing and organizing data related to the insurance-underwriting process;  
storing and organizing data related to the insurance-underwriting process at the web-based system;

enabling, by the web-based computer system, collaboration among two participants of said participants from the plurality of participants via the Internet using the web-based system, the web-based system comprising a multi-level modular architecture, the multi-level modular architecture comprising a plurality of applications, each application of the plurality of applications comprising a plurality of modules, each module of the plurality of modules comprising a plurality of tools, each tool of the plurality of tools comprising a plurality of views;

sharing, by the web-based computer system, the at least a portion of said data among the plurality of participants,

making a determination of, by the web-based computer system, based on a role associated with at least one said two participants, at least one of said tools available to said at least one of said two participants a first set of said data available to said at least one of said two participants; and

restricting, by the web-based computer system, based on said determination, at least another of said tools and a second set of said data to said at least one of said two participants.

Consequently, Applicant respectfully submits that claim 2 is tied to another statutory class and, therefore, recites patentable subject matter under 35 U.S.C. § 101.

Claims 3-12 and 15-17 depend from claim 2 and, therefore, inherit the amendment to claim 2. Thus, Applicant respectfully submits that claims 3-12 and 15-17 are tied to another statutory class and, therefore, recite patentable subject matter under 35 U.S.C. § 101.

#### **IV. REJECTIONS UNDER 35 U.S.C. § 102**

As stated in the Office Action at page 4, claims 2-12, 15-28, 31-33 stand rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Surbey for substantially the same

reasons given in the previous Office Action and for further reasons articulated in the present Office Action. Applicant respectfully traverses this rejection.

**A. Independent Claim 2**

As noted above, claim 2 has been amended to recite “making a determination of, ...based on a role associated with at least one said two participants, at least one of said tools available to said at least one of said two participants a first set of said data available to said at least one of said two participants.” The Office Action at page 5 asserts that a role being operative to determine the plurality of modules and data available to the at least one user is disclosed by Sureby at Figure 9, item 9314, the corresponding text of Sureby (the paragraph bridging pages 21 and 22), and at page 8, paragraph 1 to page 9, paragraph 1.

Item 9314 is labeled in figure 9 of Sureby as “Role-based permissions.” But no further information is given in the figure. In the paragraph bridging pages 21-22, Sureby simply gives a statement that “Included in collaboration services level 9300 can be a security and permissions module 9310, which can include...a role-based permissions component 9314.” No further description of item 9314 is given in the paragraph. Accordingly, Applicant submits that Item 9314, which generally discloses the idea of role-based permissions, does not disclose role-based-permissions of anything in particular, and therefore, does not disclose role-based permissions of data and/or tools.

As for page 8, paragraph 1 through page 9, paragraph 1, Sureby describes that “the software can enable the user to set ‘access rights’ with respect to each collaborator.” Sureby, page 8, ¶ 3. The access rights can identify, specify, and/or determine whether the collaborator can read only, edit, and/or delete documents. *Id.* Upon verification of a user, a URL of a unique workspace rendered for each collaborator is sent to collaborators. Sureby, at ¶ bridging pages 21-22. The workspace contains “only those folders which that collaborator has been granted access.” *Id.* Sureby at page 8, paragraph 1 through page 9, paragraph 1, makes no mention of setting access rights based on role and, therefore, appears to be unrelated to Item 9314 of figure 9. Consequently, this portion of Sureby discloses only identifying folders available to users and, therefore, at most discloses identifying data available to users. Therefore,

Applicant respectfully submits that Sureby does not disclose making a determination of the tools and data available to a user, based on the user's role, as recited by claim 2.

Even assuming *arguendo* that Item 9314 of figure 9 is applicable to the subject matter cited in the Office Action on pages 8 and 9, then Sureby still would only disclose role-based identification of data available to a user, but not role-based identification of tools and data, as recited in claim 2. Therefore, for at least the aforementioned reasons, claim 2 is allowable under 35 U.S.C. § 102 over Sureby for at least this reason.

Claim 2, as amended, also recites “restricting...at least another of said tools and a second set of said data to said at least one of said two participants.” Applicant respectfully submits that Sureby does not disclose this element.

In rejecting claim 2 in its form prior to the present amendment, the Office Action at page 5 asserts that Sureby discloses restricting access to data based on a user's identity and a context in which the at least one user seeks access to the data at figures 6 and 9, page 7, paragraph 4 through page 9, paragraph 1, page 12, paragraphs 1-2, and the paragraphs bridging pages 21-22. In the Response to Arguments section on page 9, the Office Action explains that Sureby teaches a “virtual community” or environment set up by a user in which “the software can enable the user to set ‘access rights’ with respect to each collaborator,” where the access rights can identify, specify, and/or determine whether the collaborator can “read only,” “edit,” and/or “delete” documents. This, according to the Office Action, is a form of restricting data accessibility “based on a plurality of attributes of the at least one user, the plurality of attributes including an identity of the at least one user and a context in which the at least one user seeks access to the data.”

Applicant respectfully submits that, even assuming *arguendo* that Sureby discloses restricting access to data, claim 2 has been amended to further specify “restricting,...based on said determination, at least another of said tools and a second set of said data to said at least one of said two participants.” Sureby does not disclose this feature.

Figure 6 of Sureby, for example, shows a simple flowchart for a method that includes a user setting access rights and providing access. Nothing in the figure discloses exactly to what access is granted. Looking to Sureby's description of figure 6 on page 18, Sureby

describes that the access rights “can be specified at any of several levels, including for all contents of the folder, for one or more sub-folders, and/or for one or more specific documents, messages, and/or templates within a given folder.” Therefore, figure 6 of Sureby at best merely describes restricting access to documents (i.e., data), and not to tools.

Similarly, Sureby’s figure 9 shows a block diagram of a software architecture that, as described in the paragraph bridging pages 21-22, includes a security and permissions module 9310 which may include a frame-based permissions component 9312, a role-based permissions component, and/or an object-based permissions component. Nothing in figure 9 or pages 21-22 describes that the permissions components restrict access to any tools.

As for page 12 of Sureby, the reference describes a method for a web-enabled and/or computerized collaborative insurance process which may include “automatically creating a plurality of standardized computer document folders consistent with a role of the user in the collaborative insurance process.” Thus, page 12 of Sureby likewise teaches, at most, restricting access to documents, but does not disclose restricting access to tools.

Accordingly, Applicant respectfully submits that Sureby does not disclose all the elements of claim 2 and, therefore, claim 2 is not anticipated under 35 U.S.C. § 102 by the reference for at least this additional reason.

#### **B. Dependent Claims 3-12 and 15-17**

Applicant respectfully submits that claims 3-12 and 15-17 depend from claim 2 and, therefore, are allowable at least for depending from an allowable claim. Applicant further submits that at least some of claims 3-12 and 15-17 disclose subject matter not taught or disclosed by Sureby.

For example, as amended, claim 5 recites that the plurality of applications are adapted to employ a desktop visual metaphor for accessing the plurality of modules said desktop visual metaphor including at least one selectable icon operable to activate at least one corresponding module. Sureby does not disclose this feature.

In the Response to Arguments section in the paragraphs bridging pages 9 and 10, the Office Action takes Official Notice that “computer desktop images are well-known in the art to be visual metaphors, that is, visual representations of something else such as files or folders or software applications or software modules, etc., that are opened or initiated or viewed or accessed by inputting commands using input devices.” In that same section, the Office Action asserts that Sureby teaches a visual desktop metaphor because it teaches “an electronic filing cabinet that can provide the user with instant access to any file they have created or are entitled to access” and because “these files can be accessed anywhere/anytime through an Internet connection.”

As noted above, as amended, claim 5 recites that the visual desktop metaphor includes at least one selectable icon operable to activate at least one corresponding module. Sureby, as noted in the Office Action on page 10, discloses that “(b)y clicking on the folder (‘explorer’) bar (i.e., a desktop icon), the user can select the appropriate folder and folder level...[...]... to select collaborators” (Sureby; page 8, paragraph 3), which the Examiner interprets to be a form of adapted to employ a desktop visual metaphor for accessing the modules. Thus, Sureby discloses merely a visual metaphor for folders wherein users may select folders and access the contents thereof. Sureby does not, however, disclose an icon in a desktop visual metaphor that activates a corresponding module, as recited in claim 5..

As for the Office Action’s official notice that desktop visual metaphors that include “visual representations of something else such as files or folders or software applications or software modules, etc., that are opened or initiated or viewed or accessed by inputting commands using input devices” are well known, Applicant respectfully disagrees. For example, as discussed above, Sureby does not disclose a desktop visual metaphor that includes “at least one selectable icon operable to activate at least one corresponding module” as recited by claim 5. Moreover, when taken into context with claim 2, from which claim 5 depends, Sureby does not disclose such a desktop visual metaphor employed in connection with a web-based system that comprises a multi-level modular architecture, where the multi-level modular architecture comprises a plurality of applications, where each application comprises a plurality of modules,

where each module comprises a plurality of tools, and where each tool comprises a plurality of views. This is not taught by Sureby.

Accordingly, pursuant to M.P.E.P. 2144.03(C), Applicant respectfully requests the Examiner to provide adequate evidence to support the assertion that desktop visual metaphors having characteristics as recited in claim 5 are well known.

As another example, claim 8 recites that the plurality of modules comprises a user profile module, a general administration module, and a business module. As described in Applicant's specification at paragraph 70, the user profile module manages user profiles, the general administration module handles administrative tasks pertaining to the application such as managing user accounts, and the business module accomplishes certain tasks related to insurance underwriting or management. At paragraph 66 of Applicant's specification, Applicant describes that "each business module comprises a set of business logic functions or features, implemented as tools, that maps closely to the entities being managed."

The Office Action at page 6 asserts that Sureby discloses these modules recited in claim 8 at figure 9, and page 21, paragraph 1 to page 22, paragraph 2, which describes figure 9. Applicant respectfully disagrees. The cited portions of pages 21-22 and corresponding figure 9 list four separate modules: a brand management module 9480, a localization module 9460, a workflow management module 9320, and a security and permissions management module 9310. Other than providing names for the modules and describing components of the modules, Sureby does not describe the functions of the modules. The text cited on pages 21-22 do not explain that any of these modules manage user profiles, handle administrative tasks pertaining to an application such as managing user accounts, or accomplish certain tasks related to insurance underwriting or management. Consequently, Applicant submits that pages 21-22 and figure 9 of Sureby do not disclose all the elements recited in claim 8 and, therefore, that claim 8 is allowable under 35 U.S.C. § 102.



**C. Claims 18-28 and 31-33**

Applicant respectfully submits that claims 18-28 and 31-33 as amended, are allowable under 35 U.S.C. § 102 over Sureby at least for reasons similar to those discussed above. For example, claim 18 recites a system for facilitating communication among a plurality of participants in an insurance-underwriting process in which a user is associated with a role that is “operative to determine the plurality of modules available to the at least one user and the data available to the at least one user.” Further, claim 18 recites that the system includes a web-based system that is adapted to “restrict the modules and data accessible to the at least one user” based on the at least one user’s role. As discussed above, Sureby discloses merely restricting access to documents (i.e., data) and, therefore, does not disclose all elements of claim 18. Thus, Applicant respectfully submits that claim 18 is allowable under 35 U.S.C. § 102 for at least these reasons.

Claims 19-28 and 31-33 depend from claim 18 and, therefore, are allowable at least for depending from an allowable claim. Applicant respectfully submits that at least some of claims 19-28 and 31-33 additionally recite patentable subject matter. For example, claim 21 recites a web-based system having a plurality of applications that “are adapted to employ a desktop visual metaphor for accessing the plurality of modules, said desktop visual metaphor including at least one selectable icon operable to activate at least one corresponding module.” As discussed above in connection with claim 5, Sureby does not disclose this element. Consequently, Applicant respectfully submits that claim 5 is allowable under 35 U.S.C. § 102 over Sureby for at least this additional reason.

As another example, claim 24 recites a web-based system having a user profile module, a general administration module, and a business module. As discussed above in connection with claim 8, Sureby does not disclose a web-based system having these specific modules and, therefore, claim 24 is allowable under 35 U.S.C. § 102 over the reference.

**V. NEW CLAIMS**

New claims 34-39 have been added. Applicant respectfully submits that claims 34-39 do not constitute new matter and are supported by the specification as filed. Applicant

further submits that claims 34-39 are allowable at least for reasons similar to those discussed above. For example, claim 34 recites a computer-readable storage medium having instructions that include “instructions for making a determination based on a role associated with at least one said two participants, at least one of said tools available to said at least one of said two participants and a first set of said data available to said at least one of said two participants” and “instructions for restricting based on said determination, at least one of said tools and a second set of said data accessible to said at least one of said two participants.” For reasons similar to those discussed above, Applicant respectfully submits that Sureby does not disclose these elements. Consequently, claim 34 is allowable under 35 U.S.C. § 102 for at least these reasons.

Claims 35-39 depend from claim 34 and, therefore, are allowable at least for depending on an allowable claim. Applicant further submits that claims 35-39 additionally recite subject matter not disclosed by Sureby. For example, claim 35 recites “a user profile module, a general administration module, and a business module.” Claim 36 recites that “the plurality of tools comprises at least one generic tool and at least one entity-specific tool.” Claim 37 recites “instructions for restricting, based on said determination, modules accessible to the at least one user.” Claim 38 recites that “said instructions for providing access to said web-based system include instructions for providing said access using a desktop visual metaphor for accessing the plurality of modules, said desktop visual metaphor including at least one selectable icon operable to activate at least one corresponding module.”

For reasons similar to those discussed above, Sureby does not disclose these elements. Therefore, Applicant respectfully submits that claims 35-39 are allowable under 35 U.S.C. § 102 over Sureby for at least these additional reasons.

## **VI. OFFICIAL NOTICE**

As discussed above in connection with claim 5, the Office Action on page 10 takes Official Notice that “computer desktop images are well-known in the art to be visual metaphors, that is, visual representations of something else such as files or folders or software applications or software modules, etc., that are opened or initiated or viewed or accessed by

inputting commands using input devices.” In the above remarks relating to claim 5, Applicant has traversed this Official Notice. Therefore, should the next Action rely on Official Notice of well-known characteristics of desktop visual metaphors, pursuant to M.P.E.P. 2144.03(C), Applicant respectfully requests that the Examiner provide adequate evidence to support the Official Notice.

## **VII. AMENDMENTS TO THE CLAIMS**

Unless otherwise specified, amendments to the claims are made for purposes of clarity, and are not intended to alter the scope of the claims or limit any equivalents thereof. The amendments are supported by the Specification as filed and do not add new matter.

## **CONCLUSION**

In view of the foregoing, Applicant believes all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 206-467-9600.

Respectfully submitted,

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